IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 359 of 2007.
IN
FIRST APPEAL NO. 373 OF 2004.

Vilas Chandar Mane (dead)
through LRs.
Smt.Laxmibai Vilas Mane and others. ... Applicants.
Versus.
The Special Land Acquisition No.11
Kolhapur and another. ... Respondents.

Shri Santosh Patil with Shri Sameer S.Tambekar for the Applicants.

Shri A.R.Patil, A.G.P. for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 18th January, 2007.

P.C.:

1. Heard the Advocate for the Applicants and Shri A.R.Patil, A.G.P. for the State. My attention has been invited to the order dated 10th August 2004 passed in Civil Application St.No.17981 of 2004. It is submitted that as the Applicants could not furnish security, the amount of compensation has been deposited in fixed deposit in terms of the order dated 10th August 2004. The Advocate for the Applicants states that now the Applicants are in a position to furnish security.

2. In view of this the Civil Application is disposed of by the following order:

1) The Reference Court will permit the Claimants in

the Land Acquisition Reference No.2 of 1992 to withdraw the compensation amount deposited by the State Government on furnishing adequate security. The Reference Court will hear the State of Maharashtra before accepting the security.

2) Only after security produced by the original Claimants is accepted by the Reference Court, the Reference Court will permit prematre encashment of the fixed deposit.

3) The Application is disposed of in the above terms.

Judge.